

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:07cr286

UNITED STATES OF AMERICA,)	
)	
)	
vs.)	<u>ORDER</u>
)	
)	
MARK STROUD WEDDING.)	
<hr/>)	

THIS MATTER is before the Court on the Defendant's motion for appointment of counsel [Doc. 33].

On May 1, 2012, the Court appointed the Federal Defenders of the Western District of North Carolina (FDWNC) to represent any defendant previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant may qualify for post-conviction relief pursuant to United States v. Simmons, 649 F.3d 237 (4th Cir. 2011), and if so, to assist the defendant in obtaining such relief. See In re: Motions for Post-Conviction Relief Pursuant to United States v. Simmons, No. 3:12mc92 (W.D.N.C. May 1, 2012). Pursuant to this Order, the FDWNC has been appointed to represent the Defendant in the present case for the

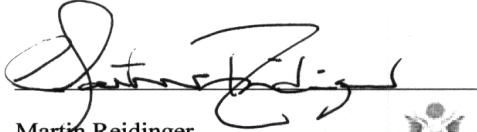
purpose of determining his eligibility for post-conviction relief under Simmons.

As such, the Defendant's request for the appointment of counsel is moot.

IT IS, THEREFORE, ORDERED that the Defendant's motion for appointment of counsel [Doc. 33] is **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: August 2, 2012


Martin Reidinger
United States District Judge

